Appendix A
Amended Claims after Amendment

Claim 1 (previously presented): A recombinant adenoviral vector comprising a deletion in the E1b region, said deletion comprising at least a portion of the E1b 55K region gene and an E1b region gene selected from the group consisting of p19 or pIX, but retaining the E1b promoter, and substituting for said deletion a heterologous gene such that the heterologous gene has a similar temporal expression pattern as the deleted E1b region gene, and said heterologous gene having the further property of encoding a protein that has anti-tumor activity and that is operably linked to said E1b promoter.

Claim 2 (previously presented): The adenoviral vector as described in claim 1 wherein said deletion of said E1b region gene consists of said p19 gene.

Claim 3 (previously presented): The adenoviral vector as described in claim 1 wherein said deletion of said E1b region gene consists of the p19 and pIX genes.

Claim 4 (previously presented): The adenoviral vector as described in claim 1 wherein said deletion in the E1b region further comprises E1b 55K, p19, and pIX genes.

Claim 5 (previously presented): A recombinant adenoviral vector selected from the group consisting of ΔKmTNF, ΔE1B/CD and Δ55K/CD.

Claim 6 (previously presented): The recombinant adenoviral vector as described in claim 1 wherein said heterologous gene encodes a protein selected from the group consisting of tumor necrosis factor alpha, interferon gamma, an interleukin, a cell suicide protein, cytosine deaminase, thymidine kinase and mip-3.

Claim 7 (currently amended): Cells comprising said adenoviral vector of claim 1.

Claim 8 (currently amended): Cells comprising said adenoviral vector of claim 5.

Claim 9 (currently amended): Cells comprising said adenoviral vector of claim 6.

Claim 10 (currently amended): A method for directly treating a mammal's neoplastic condition in a mammal in need of said treatment, comprising administering to said mammal a therapeutically effective dose of said adenoviral vector of claims 1, 5, or 6.

Claim 11 (currently amended): The method as described in claim 10 further comprising administering with said adenoviral vector a chemotherapeutic or an immunosuppressive agent.

Claim 12 (previously presened): A replication competent, recombinant adenovirus selected from the group consisting of ΔKmTNF, ΔE1B/CD and Δ55K/CD.

Claim 13 (previously presented): A recombinant plasmid selected from the group consisting of pΔKmTNF, pΔE1B/CD, and pΔ55K/CD.

Claim 14 (previously presented): A recombinant plasmid selected from the group consisting of pΔE1B, pΔE1B/55K, and pΔE1B/pIX.

Claim 15. Canceled

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